

REMARKS

Advisory Action of January 5, 2006

An Advisory Action/Notice of Non-Compliance (37 C.F.R. § 1.121) was mailed to Applicants on January 5, 2006. In response, Applicants submit the present Amendment which addresses the improper multiple dependencies. Specifically, each of claims 4, 7, 11, 12, 13, 16 and 18 now only depend on claim 5 (wherein claim 5 is allowable). Thus, acceptance of this Amendment is respectfully requested.

Consideration of this Amendment

Applicants submit that the amendments herein are fully supported in the present specification as filed and add no new matter. Also, it is respectfully requested that the present Reply be entered into the Official File in view of the fact that the Reply automatically places the application in condition for allowance (explained in more detail below). Also, the amended claims present no new issues requiring further search or consideration because claims of the same or similar scope have previously been presented and subsequently examined (explained in more detail below). Thus, the present Reply is believed to be in proper form for placing the application in condition for allowance.

In the alternative, if the Examiner continues with the rejections of the present application, it is respectfully requested that the present Reply be entered for purposes of an Appeal. The Reply reduces the issues on appeal by reducing the number of claims (e.g., claims 1 and 10 have

been canceled) and/or overcoming the one or more of rejections under 35 U.S.C § 103(a). Thus, the issues on appeal would be reduced.

Applicants respectfully request the Examiner to reconsider the present application in view of the foregoing amendments to the claims.

Status of the Claims

In the present Amendment, claims 4, 5, 7, 9, 11, 12, 13, 16 and 18 have been amended, wherein claims 1 and 10 have been canceled without prejudice or disclaimer of the subject matter contained therein. Also, claims 2 and 3 were previously canceled without prejudice or disclaimer of the subject matter contained therein. Thus, claims 4-9 and 11-20 are pending in the present application.

No new matter has been added by way of these amendments. For instance, the amendment to claim 5 places this claim into independent form by incorporating the subject matter of original claim 1. Similarly, claim 9 now appears in independent form by incorporating the subject matter of original claim 1 as well as canceled claim 10. Since claims 5 and 9 are the two independent claims in this application, all other claims were amended to depend on one or both of these claims.

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw the outstanding rejections and allow the currently pending claims.

Issues Under 35 U.S.C. § 103(a)

Claims 1, 4, 9, 11-13, 16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Daisei et al. (JP 06 255 316 A) in view of Bridgestone (JP 2003-1167) (see paragraph 2 of the Office Action).

Also, claims 7-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Daisei and Bridgestone in view of Sumitomo (JP 11-245637 A) (see paragraph 3 of the Office Action).

Each of these rejections is respectfully traversed. Reconsideration and withdrawal thereof are respectfully requested.

Applicants respectfully submit that claim 1 has been canceled herein, rendering the rejection (in view of Daisei and Bridgestone) of this claim and the dependent claims thereon moot. Also, claims 7 and 8 ultimately depend on claims 5 and 9. Applicants respectfully submit that claims 5 and 9 are in allowable form.

Specifically, Applicants note that claim 5 is in independent form and incorporates the subject matter of original claim 1, and not claim 1 as presented in the January 27, 2005 Reply (which incorporated the subject matter of claims 2-3). Claim 5 has been indicated to have allowable subject matter (see paragraph 4, page 4 of the Office Action). Applicants respectfully submit that claim 5 is still allowable in that the same subject matter previously presented still appears in the claim as presented herein.

Similarly, claim 9 is in independent form and incorporates the subject matter of original claim 1, and not claim 1 as presented in the January 27 Reply. Claim 9 also incorporates the subject

matter of claim 10, wherein claim 10 is indicated to have allowable subject matter (see paragraph 4, page 4 of the Office Action). Thus, Applicants respectfully submit that claim 9 is in allowable form in that the allowable subject matter of claim 10 now appears in independent claim 9.

All other claims ultimately depend on one or both of the independent claims.

Thus, Applicants respectfully submit that all rejections have been overcome and/or rendered moot, and that the instantly pending claims are in condition for allowance. Reconsideration and withdrawal of both rejections are respectfully requested.

Allowable Subject Matter

Claims 5, 6, 10, 14, 15, 17, 19 and 20 are indicated to be allowable if rewritten into independent form. Applicants respectfully submit that claim 1 has been canceled, and claims 5 and 9 are now the independent claims. All other claims ultimately depend on claim 5. Thus, Applicants respectfully submit that no other issues remain for this application, and request favorable consideration of the instantly pending claims.

Conclusion

A full and complete response has been made to all issues as cited in the Office Action. Applicants have taken substantial steps in efforts to advance prosecution of the present application. Thus, Applicants respectfully request that a timely Notice of Allowance issue for the present case.

Application No. 10/726,565

Art Unit 3617

After Final Office Action of September 6, 2005

Docket No.: 0229-0784P

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact Eugene T. Perez (Reg. No. 48,501) at the offices of Birch, Stewart, Kolasch & Birch, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: February 3, 2006

Respectfully submitted,

By 

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